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March 8, 2021

(via ECF)

Honorable John P. Cronan
Southern District of New York
500 Pearl Street
New York, New York 10007

Re:

Eunhasu Corporation v. NorGuard Insurance Company
United States District Court, Southern District of New York
19 CV 7696 (ER) (RWL)
LPG&M File No.: 3237-88

Dear Judge Cronan:

The parties respectfully submit this joint request seeking modification of the discovery schedule. Four prior requests have been made and granted to modify the schedule. The first request was made before Hon. Ramos, and the remaining were made before this Court. The **current** schedule is as follows:

1. Non-expert depositions shall be completed by March 1, 2021;
2. Requests to admit, if any, shall be served no later than March 15, 2021;
3. Expert reports shall be served no later than March 29, 2021;
4. Rebuttal expert reports shall be served no later than April 23, 2021;
5. Expert depositions shall be completed by May 31, 2021; and
6. All discovery shall be completed by May 31, 2021.

This case concerns property damage that the Plaintiff-insured's building first sustained in September 2017. Defendant NorGuard issued a property insurance policy to Plaintiff. The parties have been diligently working together to meet the above deadlines, and to date, multiple depositions of parties and non-parties have been conducted. The last non-party deposition was scheduled for February 26, 2021, but needed to be adjourned due to Covid-19 issues. It is rescheduled for March 15, 2021. Responses to NorGUARD's outstanding post-deposition demands to Plaintiff and a response to a subpoena served on Plaintiff's building consultant remain outstanding, both of which NorGUARD requires to prepare its expert reports. Finally,

NorGUARD was just advised that one of its experts is undergoing an unexpected medical procedure, and thus will need additional time to review the outstanding documents upon receipt and to finalize its report.

The parties therefore respectfully request that the discovery schedule be **amended** as follows, in order to allow an extra thirty (30) days to complete discovery.

1. Non-expert depositions shall be completed by March 15, 2021;
2. Plaintiff to provide responses to the outstanding subpoena on DBI and notice to produce by March 31, 2021;
3. Expert reports shall be served no later than April 30, 2021;
4. Rebuttal expert reports shall be served no later than May 28, 2021;
5. Expert depositions shall be completed by June 30, 2021; and
6. All discovery shall be completed by June 30, 2021, 2021.

The next case management conference is scheduled for _____, a date convenient for the Court.

Thank you for your consideration of this request.

Very truly yours,

Dennis T. Dantonio

Yale Glazer

Dennis T. Dantonio

Yale Glazer

It is hereby ORDERED that the parties' request is GRANTED. The Court adopts the following discovery schedule: (1) Non-expert depositions shall be completed by March 15, 2021; (2) Plaintiff shall provide responses to the outstanding subpoena on DBI and notice to produce by March 31, 2021; (3) Expert reports shall be served no later than April 30, 2021; (4) Rebuttal expert reports shall be served no later than May 28, 2021; (5) Expert depositions shall be completed by June 30, 2021; and (6) All discovery shall be completed by June 30, 2021, 2021. The June 1, 2021 conference is ADJOURNED to July 6, 2021 at 11:00 a.m.

The parties should not expect to receive any further extensions absent exceptional circumstances.

SO ORDERED.

Date: March 8, 2021
New York, New York


JOHN P. CRONAN
United States District Judge.